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Letter dated 26 February 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

Addendum

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Activities of the Asian-African Legal Consultative Organization to strengthen the legal regime to combat international terrorism

The Asian-African Legal Consultative Organization (AALCO) is an intergovernmental organization, established in 1956 as a tangible outcome of the historic Asian-African Conference held in Bandung in 1955. The current membership of AALCO comprises 45 States from the Asian and African regions, including:

Bahrain, Bangladesh, China, Cyprus, Democratic People's Republic of Korea, Egypt, Gambia, Ghana, India, Indonesia, Islamic Republic of Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritius, Mongolia, Myanmar, Nepal, Nigeria, Oman, Pakistan, Philippines, Palestine, Qatar, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania and Yemen. Botswana is an associate member.

The General Assembly, in its resolution 35/2, accorded permanent observer status to AALCO, which has been working closely with the United Nations, its agencies and other intergovernmental organizations, and has entered into memoranda of understanding with several of them, including the International Maritime Organization and the Office of the United Nations High Commissioner for Human Rights. Such cooperation agreements have been also concluded with the Commonwealth Secretariat, the Council of Europe, the African Union and the League of Arab States.

Under article 4 (b) of AALCO's statute, its member Governments are entitled to refer any item for inclusion in the agenda of AALCO. Accordingly, upon a reference made by the Government of India, the item "international terrorism" was placed on the agenda of AALCO at its fortieth session, held in June 2001. It was felt that consideration of the item by AALCO would be useful and relevant in the context of the ongoing negotiations in the ad hoc committee of the United Nations on the elaboration of a comprehensive international convention against international terrorism.

During the last two years, AALCO has been closely following the developments at the United Nations and other forums with regard to the consideration of issues related to combating international terrorism, especially in the light of the tragic incidents of 11 September 2001. AALCO's current work programme on issues concerning combating international terrorism include:

(a) Promoting wider ratification among its member States of the 12 international conventions dealing with combating terrorism;

(b) Providing technical and legal assistance to member States seeking such assistance in the preparation for ratification of those conventions;

(c) Preparing studies and legal guidelines on such topics as extradition and mutual assistance on criminal matters;

(d) Disseminating information on matters related to national legislation and other legal matters concerning combating international terrorism.

The AALCO secretariat has been closely following the work of the Counter-Terrorism Committee (CTC) established pursuant to Security Council resolution 1373 (2001). It is keen to work in coordination and cooperation with CTC and other regional and international organizations engaged in strengthening the legal regime to combat international terrorism.

Summary report on the counter-terrorism activities of GUUAM (Republic of Azerbaijan, Georgia, Republic of Moldova, Republic of Uzbekistan and Ukraine)

Welcoming the activities of the Counter-Terrorism Committee (CTC) in providing assistance to States for ensuring the effective implementation of Security Council resolution 1373 (2001) and willing to contribute to practical international cooperation in suppressing terrorism, the GUUAM (Republic of Azerbaijan, Georgia, Republic of Moldova, Republic of Uzbekistan and Ukraine) participating States attach herewith brief information about its main activities as well as planned actions in the field.

Stage A

The GUUAM grouping was formally founded as a political, economic and strategic alliance designed to strengthen the independence and sovereignty of the following former Soviet Union republics: Republic of Azerbaijan, Georgia, Republic of Moldova and Ukraine. Cooperation among delegations of those countries started in 1996 in Vienna at the CFE Treaty Conference, where four States issued joint statements and proposed common initiatives. In April, 1999, during the NATO fiftieth anniversary celebrations, the Group met and welcomed Uzbekistan as the fifth member of GUUAM.

It should be noted that from the very outset of this group the GUUAM participating States have committed themselves to consolidating their efforts in the fight against international terrorism. In particular, a series of joint statements adopted at the meetings of the Presidents of the GUUAM States (Strasbourg joint communiqué of 10 October, 1997; Washington statement of 24 April 1999; New York memorandum of 6 September 2000) express deep concerns with the increased number of acts of terrorism and violence, which represent a serious threat not only to individual persons and States but to the whole world community, reiterate the necessity to jointly combat terrorism in all its manifestations and condemn as unjustifiable any illegal acts, methods and practices of terrorism wherever and by whomsoever committed.

Addressing terrorism decisively has always been the top priority for this grouping. It is worth mentioning that combating international terrorism, organized crime and drug trafficking is one of the main objectives of the GUUAM Charter signed by the Presidents of GUUAM member States at their summit held in July 2001 in Yalta, Ukraine.

During the high-level GUUAM-United States dialogue on 14 November 2001 and 14 September 2002, the GUUAM States and the United States issued joint statements condemning terrorism, in which they agreed on cooperation and joint actions in fighting terrorism, providing for the security of transport corridors and preventing drug trafficking and illegal weapons trade and migration. They determined to contribute to the fulfilment of international obligations as enshrined in Security Council resolutions 1368, 1373 and 1377 (2001) and General Assembly resolution 56/1, and also pledged to become parties to all United Nations conventions and protocols related to terrorism.

At the recent 2002 GUUAM summit, held in July 2002 in Yalta, the Presidents of the participating States reiterated their firm positions on the issues of combating

terrorism and organized crime. In order to ensure consistent fulfilment of the obligations arising from Security Council resolutions 1373 (2001) and 1377 (2001) and norms of international conventions and treaties in the combat against terrorism, they reaffirmed the determination of their countries to provide a political, legal and organizational basis for overcoming the challenges of international terrorism, separatism, intolerance, extremism and related illegal actions. All those commitments were included in a declaration on common efforts to ensure stability and security in the region. It should be also noted that the GUUAM participating States, attaching great importance to the strengthening of the legal basis of their cooperation, signed an agreement on cooperation among the Governments of the GUUAM participating States in the field of combat against terrorism, organized crime and other dangerous types of crime.

GUUAM fully recognizes the danger of using the proceeds from crime for financing terrorist activities. Attaching special attention to that problem, the Presidents of participating States tasked member Governments to thoroughly examine the issue of establishing the close interaction of GUUAM with the Financial Action Task Force.

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Stage B

With reference to article 1 of the agreement on cooperation among the Governments of GUUAM participating States in the field of combat against terrorism, organized crime and other dangerous types of crime, the parties, in accordance with the national legislation of their States, cooperate in the following fields:

- Combat against terrorism
- Combat against organized crime
- Combat against illegal armed formations
- Combat against illegal circulation of arms and munitions, military equipment, certain types of raw materials, as well as materials, equipment and technologies which may be used for their creation, and explosive and poisonous substances
- Combat against illegal circulation of nuclear materials, radioactive substances, materials, equipment and technologies of double purpose, which may be used in creation and manufacturing of weapons of mass destruction etc.

As a whole, the agreement provides for cooperation and interaction between GUUAM States, both in bilateral and multilateral formats, on the basis of requests for rendering assistance which is aimed at preventing, detection, suppression, investigation and elimination of consequences of crimes of terrorist character, illegal trafficking in weapons, munitions, explosives and explosive devices, illegal trafficking in narcotics, psychotropic substances and precursors etc.

Since the GUUAM Presidents' meeting held in New York in 2000, the organizational structure of the grouping has been developed and improved in the view of intensifying multilateral cooperation within GUUAM. It was deemed expedient to convene regular summits at the level of heads of State at least once a year, and meetings at the level of ministers of foreign affairs at least twice a year. A committee of national coordinators is holding regular sessions on a quarterly basis.

A working group on the struggle against terrorism, organized crime and drugs proliferation within the GUUAM framework has been established with a view to preparation and coordination of joint proposals and programmes of cooperation.

The issues of suppressing scourge of terrorism, money-laundering and the financing of terrorist activities, illegal arms and drug trafficking, organized crime, illegal migration, security of transport corridors, border control, establishment and development of permanent information system and experience exchange to counteract global risks and threats have been addressed and discussed during meetings of the GUUAM working groups and other forums, such as a Baku meeting on security and effective functioning of transport corridors (7 and 8 November 2001); meetings of the GUUAM working group on struggle against terrorism, organized crime and drug trafficking (10 and 11 July 2002, Kyiv; 29 and 30 October 2002, Baku; and 26 and 27 February 2002, Baku); and meetings of heads of border control (16 September 1998, Tbilisi; 7 and 8 February 2003, Tbilisi) and customs services (11 February 2003, Kyiv) of GUUAM countries.

GUUAM efforts to combat terrorism and other related illegal activities receive their practical realization within the concrete projects being developed in the framework of an enhanced cooperation with international and regional organizations as well as interested States. In that regard, the GUUAM-US framework programme on trade and transportation facilitation, ensuring border and customs control, combating terrorism, organized crime and drug trafficking which was adopted at the second meeting of the GUUAM working group on the struggle against terrorism, organized crime and drug trafficking and endorsed at the second session of the Council of GUUAM Foreign Ministers (6 and 7 December 2002, Porto) is of primary importance. The framework programme includes realization of the following concrete projects:

- Establishment of the GUUAM virtual centre on combating terrorism, organized crime, drug trafficking and other dangerous types of crimes
- Introduction of unified data exchange system in anti-terrorism activity
- Proposals on the implementation of projects for strengthening the cooperation of and interaction between GUUAM States on border and customs control issues.

One of the main objectives of the above-mentioned virtual centre is to promote the joint efforts of the GUUAM participating States in fighting against terrorism, transnational and cross-border crimes, as well as in law enforcement cooperation, in order to encourage trade and transportation with the declared goal of reaching economic prosperity and stability in the GUUAM region. The virtual centre will serve as a focal point for communication, analysis and exchange of operational information in a real time regime of law enforcement, as well as for the facilitation of joint operations and coordination of major crime investigations.

The data-exchange system constitutes an inter-agency analytical information system of unified data exchange about people, organizations and events concerning terrorism in all its forms, organized crime, trafficking in drugs, human beings and weapons, and will allow authorities to effectively gather, analyse, develop and apply specified information.

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Stage C

In addition to enhanced cooperation with the United States, the GUUAM grouping is planning to establish multifaceted cooperation links with other foreign partners, including interested States and organizations, such as the South European Cooperation Initiative, the Office for Security and Cooperation in Europe and the World Bank. For instance, participation of the GUUAM States in the operations by the Southeast European Cooperative Initiative (SECI) Regional Center on cross-border illegal activities is considered to be a valuable contribution to the effective practical cooperation between GUUAM and SECI.

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Efforts to combat terrorism: summary of the action of the Inter-Parliamentary Union

Inter-Parliamentary Union (IPU) action in the field of efforts to combat terrorism is predicated on its firm belief that terrorism undermines, among other things, democracy and human rights, and must therefore be combated energetically. Its action is mainly political and falls within the purview of article 3 (d) of Security Council resolution 1373 (2001) which calls upon all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism.

Although IPU action falls within this framework, it predates resolution 1373 (2001) and terrorism has figured regularly on the agenda of its statutory and specialized conferences over the past several years. Recent examples include its conferences held in Istanbul (1996), Ouagadougou (September 2001, in the wake of the 11 September 2001 attacks) and Marrakesh (2002). On each of those occasions, not only has IPU condemned terrorism in all its forms but it has also consistently urged parliaments to take steps to contribute to the global fight against this thorny problem, including ensuring the ratification of relevant international instruments and seeing to it that those international norms are incorporated within the body of national legislation and that the provisions thereof are effectively implemented.

IPU member parliaments have a statutory obligation to report to IPU on steps they have taken to ensure implementation of decisions taken by IPU. In recent years, increasing numbers of parliaments have reported on their anti-terrorism efforts.

At the operational level, IPU, through its technical cooperation programme, works to strengthen the capacity of parliaments, especially in the developing countries and emerging democracies, to efficiently fulfil their law-making and oversight functions, including in the field of combating terrorism.

IPU believes that parliaments have a crucial role to play in the global drive to combat terrorism, and that further efforts should be made to strengthen their capacity to play that role efficiently. Awareness programmes need to be designed and implemented for parliaments so that they understand the manifestations, ramifications and consequences of terrorism; are conversant with the relevant international instruments; and are adequately informed on ways and means of ensuring that Governments comply with their provisions. Emphasis also needs to be laid on the development of programmes to promote democracy and human rights in general, as part of the efforts to address some of the root causes of terrorism.

IPU also believes that it is important to ensure more effective monitoring of parliamentary action to combat terrorism through the organization of surveys on a regular basis. It is committed to working on this in cooperation with CTC and other United Nations bodies.

Geneva, 27 February 2003

Southeast European Cooperative Initiative Regional Center for Combating Transborder Crime Anti-Terrorism Task Force

Three days after the 11 September 2001 terrorist attacks, the Joint Cooperation Committee, the highest institutional body of the Southeast European Cooperative Initiative (SECI) Center, unanimously adopted the Bucharest Declaration on the Suppression of Terrorism. The Declaration was meant to encourage the exchange of information on criminal organizations that are closely tied with terrorism, including financial resources and supports of them, among SECI Center member States.

In addition to the Bucharest Declaration, the SECI Center also established a working group in order to provide prompt assistance to the United States Government in identifying and bringing to justice those connected to the 11 September terrorist attacks. In October 2001, at the request of the United States Secret Service and in an effort to obtain the financial profiles of suspected terrorists, the working group disseminated United States Federal Bureau of Investigation watch list containing some 300 names among southeast European countries. As a result of that operation, suspicious bank accounts and transactions were detected in Albania, Bosnia and Herzegovina and Turkey.

The working group was also formed to provide information on the movement of refugees and illegal migration from conflict areas through southeast Europe and to provide assistance to SECI Center member States on the development of their counter-terrorism strategies. The report of the working group on the first regional evaluation of illegal migration following the military campaigns in Afghanistan was issued and distributed to SECI Center member States in February 2002.

A regional workshop on terrorism was held at the SECI Center in July 2002 in order to identify plausible and feasible law enforcement actions against terrorism. Out of that workshop evolved the realization that a two-pronged approach to counter-terrorism in the region was necessary; it focused on addressing adequate legislative reform and also concentrated on facilitating operational endeavours in the fight against terrorism. It was also recommended in the workshop that a task force on counter-terrorism be established within the SECI Center to ensure country commitments.

Subsequently, the anti-terrorism task force project, with the coordination of Turkey, was approved by the Joint Cooperation Committee on 21 February 2003.

Also, in 2002 a task force for combating small arms and light weapons trafficking was established, with the coordination of Albania. Its mission is to implement an international approach in the prevention, detection and investigation of trafficking of small arms by establishing direct sustainable and rapid channels of information exchange among participating States.

Further, Romania proposed to set up a task force on the trafficking of chemical, biological and nuclear materials. SECI Center management merged the related elements of the fight against terrorism (investigation of terrorist groups, control illegal trafficking of small arms and light weapons and chemical, biological and nuclear materials) in order to avoid duplication of efforts.

The Task Force will deal with legislative and training issues and will also deal with facilitating operational possibilities between and among the countries of the

region. It will be the instrument of the implementation of resolution 1373 (2001), as well as other United Nations conventions and relevant international acts. It is open to all the member and observer countries and international organizations that have competency for combating terrorism.

Since most of the countries in southeastern Europe have not faced any terrorist threat so far, there are no appropriate laws in those countries. One of the purposes of the task force is to review the national laws of member States on counter-terrorism, thus identifying those loopholes and giving advice on applicable regulations. In order to facilitate legal counter-terrorism activities, the laws on terrorism will be harmonized in close cooperation with the United Nations, the European Union, other relevant international institutions and domestic authorities.

In addition, the task force's aim is to organize law enforcement activities and carry out regional coordination to prevent, detect, investigate and combat terrorism-related crimes. Those activities will be carried out in accordance with existing and new laws and within the international legal framework. The goals are to identify and analyse information on terrorist groups who participate in terrorist activities. In addition, the task force will concentrate to discern the nexus between terrorism and organized crime groups with drug, human being, small arms and light weapons and chemical, biological and nuclear materials trafficking. By so doing, proactive initiatives will also be developed on the financial resources and assets of terrorist networks in order to disable the financial resources of terrorist organizations.

The continuing goals of the task force are to exchange information, professional knowledge and experience among the participant countries with a view to preventing production, usage and transportation of small arms and light weapons and chemical, biological and nuclear materials, as well as the mobilization of terrorist groups. Close cooperation with SECI observer countries will also be provided since all recognize the necessity of open communications, support for operational techniques, training, exchange of best practices and improvement of legal instruments. The SECI Center, as a unique entity, has the will and operational means to contribute to the prevention of regional and global transborder crimes, as well as terrorist activities.